

ENTERED

November 06, 2019

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

DAVID L. GLASSEL

Plaintiff

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VS.

C.A. NO. 4:17-CV-553

OCWEN LOAN SERVICING, LLC

Defendant

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FINAL JUDGMENT

On this day, came to be heard Intervenor-Plaintiff/Defendant, Deutsche Bank National Trust Company, as Trustee in Trust for Registered Holders of Long Beach Mortgage Loan Trust 2006-7, Asset-Backed Certificates, Series 2006-7's ("Trustee") Second Motion for Entry of Final Judgment (the "Motion"). The Court, having considered the Motion, and the response, if any, is of the opinion that the Motion should be, in all things, **GRANTED**.

It is therefore ORDERED AND DECREED that all of Plaintiff David L. Glassel's ("Glassel") claims against Trustee are dismissed with prejudice. It is further

ORDERED AND DECREED that Trustee is hereby awarded and this Judgment shall constitute an Order Authorizing Foreclosure, authorizing Trustee to foreclose on the real property collateral made the basis of the present action. It is further

ORDERED AND DECREED and the Court finds that Glassel obtained a loan from lender Long Beach Mortgage Company ("Long Beach"), which is evidenced by a Texas Home Equity Note dated June 9, 2006 executed by Glassel and payable to the order of Long Beach and its assigns in the original principal amount of \$204,000.00 (the "Note") and which is secured by a Texas Home Equity Security Instrument executed by Glassel, as Grantor, dated June 9, 2006 and recorded in the real property records of Montgomery County, Texas as Instrument No. 2006-073760 (the "Deed of Trust"), pursuant to which Glassel granted for the benefit of Long Beach

and its successors and assigns, a lien against certain real property located at 2119 Old Ox Road, Spring, Texas 77386 which is more particularly described in the Deed of Trust as:

LOT SIXTY-FIVE (65), BLOCK THREE (3), SECTION ONE (1), SPRING FOREST SUBDIVISION, LOCATED IN THE MONTGOMERY COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 351, ACCORDING TO THE MAP OR RECORD IN VOLUME 7, PAGE 379, MAP RECORDS OF MONTGOMERY COUNTY, TEXAS.

and which real property together with the improvements thereon is referred to herein as (the "Property"). It is further

ORDERED AND DECREED and the Court finds that the Note and the lien against the Property evidenced by the Deed of Trust were transferred and assigned to Trustee and that after the requisite notice of default was provided, the Note was accelerated on November 30, 2015 and all outstanding principal and accrued but unpaid interest was declared to be immediately due and payable, and that Glassel has failed to pay those amounts. It is further

ORDERED AND DECREED and the Court finds that after allowing all just and lawful offsets, payments, and credits, there remains due and owing under the Note as of March 29, 2018, the total amount owed is or was \$326,610.65 consisting of an outstanding principal balance of \$191,429.65, accrued but unpaid interest in the amount of \$87,888.32 through March 29, 2018, escrow advances totaling \$43,178.16, loan level advances totaling \$4,076.00 and interest on advances totaling \$38.52, that all foregoing amounts together with any interest accruing on the unpaid principal balance from and after March 29, 2018 at a per diem or daily rate of \$40.92 per day until the balance due under the subject loan is paid. It is further

ORDERED AND DECREED that the sums owed as described in the above paragraph are secured by the lien against the Property evidenced by the Deed of Trust, that Trustee is the current

“mortgagee” as the term is defined in the Texas Property Code §51.0001(4), and that Trustee is entitled to foreclose on the Property through this Judgment.

It is further ORDERED AND DECREED that, Trustee and its assigns are authorized to conduct a non-judicial foreclosure sale of the Property pursuant to the terms and conditions of the Deed of Trust and in accordance with TEX. PROP CODE §51.002.

It is further ORDERED AND DECREED and the Court finds that Melinda Poole filed an abstract of judgment against Glassel on March 9, 2010 as document number 2010018672 in the Official Public Records of Montgomery County, Texas and that Trustee’s lien is superior, prior and senior to that of Melinda Poole.

It is further ORDERED AND DECREED and the Court finds that Mustang Power Systems filed an abstract of judgment against Glassel on November 4, 2011 as document number 2011098542 in the Official Public Records of Mcntgomery County, Texas and that Trustee’s lien is superior, prior and senior to that of Mustang Power Systems.

It is further ORDERED AND DECREED and the Court finds that the IRS recorded a Notice of Federal Tax Lien on November 7, 2013 in the Official Public Records of Montgomery County, Texas and that Trustee’s lien is superior, prior and senior to that of the IRS and United States of America, Department of the Treasury.

It is further ORDERED AND DECREED that any relief not specifically granted in this Judgment is DENIED and any parties not otherwise disposed of are DISMISSED.

SIGNED AND ENTERED on this _____ day of **NOV 05 2019**, 2019.

U.S. DISTRICT JUDGE